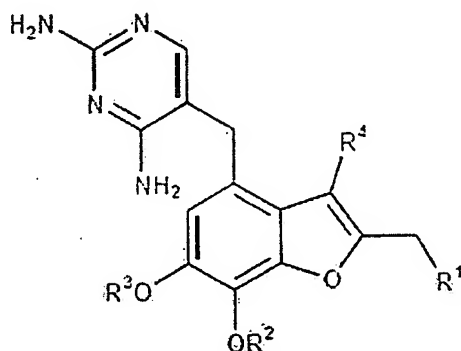


AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of the Claims:

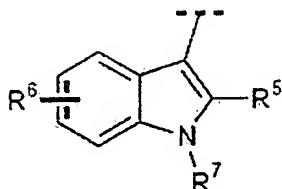
1. (Currently Amended) A compound of formula I



Formula I

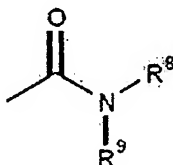
wherein

R¹ represents the groups,



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whereby in these groups R⁵ is hydrogen, lower alkyl with 1 to 4 carbon atoms, or the group



wherein

R⁸ represents ~~[[,]]~~ lower alkyloxy, lower alkylamino, or lower alkyl with 1 to 4 carbon atoms;

R⁹ represents ~~[[,]]~~ lower alkyl with 1 to 4 carbon atoms;

R⁸ and R⁹ together form a 5- or 6- membered heterocyclic ring containing one to two hetero atoms which can be the same or different and are oxygen or nitrogen;

R⁶ ~~represent~~represents hydrogen, halogen, nitro, or lower alkyloxy;

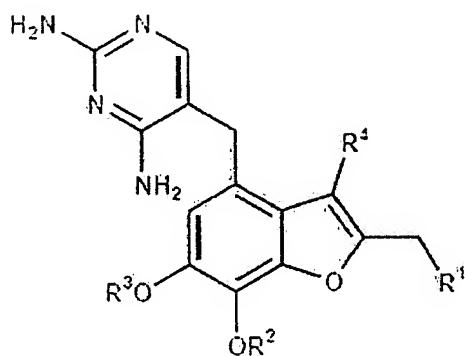
R⁷ represents hydrogen;

R² and R³ independently represent hydrogen, lower alkyl with 1 to 3 carbon atoms, or together a lower alkylene group with 1 to 3 carbon atoms bridging the oxygen atoms and forming a five, six or seven membered ring;

R⁴ represents hydrogen;

~~and~~ or a pharmaceutically acceptable ~~salts~~salts thereof.

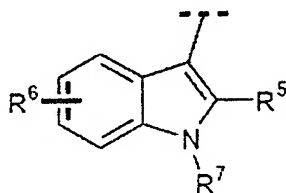
2. (Currently Amended) A compound of formula I'



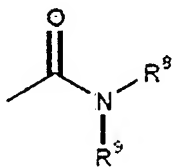
Formula I'

wherein

R¹ represents the groups



whereby in these groups R⁵ is hydrogen, lower alkyl with 1 to 4 carbon atoms, or the group



wherein

R⁸ represents lower alkyloxy, or lower alkyl with 1 to 4 carbon atoms;

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R⁹ represents lower alkyl with 1 to 4 carbon atoms;

R⁸ and R⁹ together form a 5- or 6- membered heterocyclic ring containing one to two hetero atoms which can be the same or different and are oxygen or nitrogen;

R⁶ represents hydrogen, halogen, nitro, or lower alkyloxy;

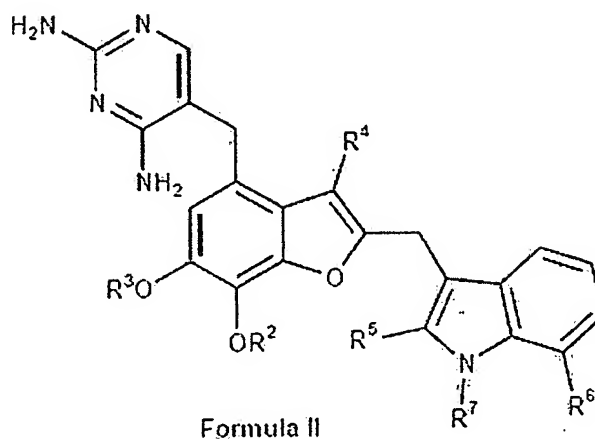
R⁷ represents hydrogen;

R² and R³ independently represent hydrogen, lower alkyl with 1 to 3 carbon atoms, or together a lower alkylene group with 1 to 3 carbon atoms bridging the oxygen atoms and forming a five, six or seven membered ring;

R⁴ represents hydrogen;

and or a pharmaceutically acceptable salts thereof.

3. (Currently Amended) A compound of formula II



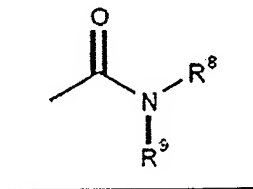
wherein

R² and R³ represent methyl;

R⁴ represents hydrogen;

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R⁵ and R⁶ are as defined in formula I is hydrogen, lower alkyl with 1 to 4 carbon atoms, or the group



wherein

R⁸ represents lower alkyloxy, lower alkylamino, or lower alkyl with 1 to 4 carbon atoms;

R⁹ represents lower alkyl with 1 to 4 carbon atoms;

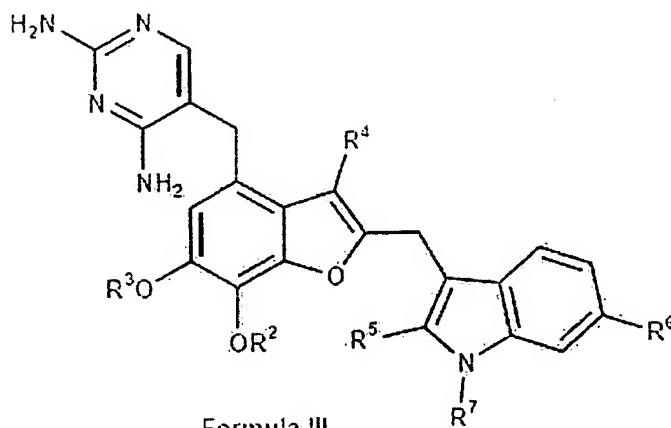
R⁸ and R⁹ together form a 5- or 6- membered heterocyclic ring containing one to two hetero atoms which can be the same or different and are oxygen or nitrogen;

R⁶ represents hydrogen, halogen, nitro, or lower alkyloxy;

R⁷ represents hydrogen;

and or a pharmaceutically acceptable salts thereof.

4. (Currently Amended) A compound of formula III



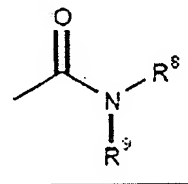
Amendment in Response to June 24, 2008 Non-Final Office Action and
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wherein

R² and R³ represent methyl;

R⁴ represents hydrogen;

~~R⁵ and R⁶ are as defined in formula I~~ is hydrogen, lower alkyl with 1 to 4 carbon atoms, or the group



wherein

R⁸ represents lower alkyloxy; lower alkylamino, or lower alkyl with 1 to 4 carbon atoms;

R⁹ represents lower alkyl with 1 to 4 carbon atoms;

R⁸ and R⁹ together form a 5- or 6- membered heterocyclic ring containing one to two hetero atoms which can be the same or different and are oxygen or nitrogen;

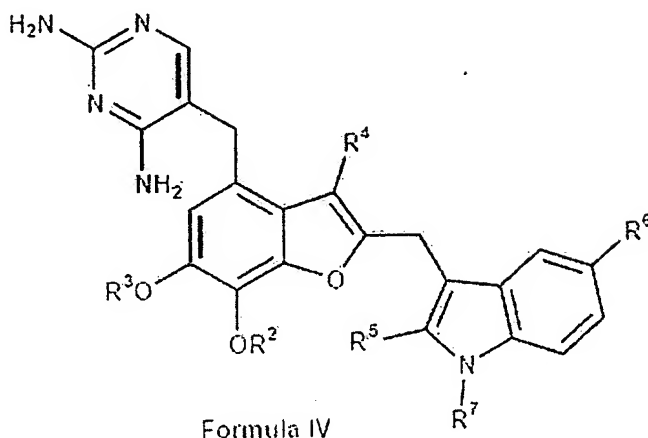
R⁶ represents hydrogen, halogen, nitro, or lower alkyloxy;

R⁷ represents hydrogen;

and or a pharmaceutically acceptable salts thereof.

5. (Currently Amended) A compound of formula IV

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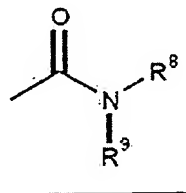


wherein

R² and R³ represent methyl;

R⁴ represents hydrogen;

R⁵ and R⁶ are as defined in formula I is hydrogen, lower alkyl with 1 to 4 carbon atoms, or the group



wherein

R⁸ represents lower alkyloxy, lower alkylamino, or lower alkyl with 1 to 4 carbon atoms;

R⁹ represents lower alkyl with 1 to 4 carbon atoms;

R⁸ and R⁹ together form a 5- or 6- membered heterocyclic ring containing one to two hetero atoms which can be the same or different and are oxygen or nitrogen;

R⁶ represents hydrogen, halogen, nitro, or lower alkyloxy;

R⁷ represents hydrogen;

and or a pharmaceutically acceptable salts thereof.

6. (Currently Amended) The compound of claim 1 selected from the group consisting of:

5-[6,7-Dimethoxy-2-(7-methoxy-1H-indol-3-ylmethyl)-benzofuran-4-ylmethyl]-pyrimidine-2,4-diamine;

5-[6,7-Dimethoxy-2-(5-methoxy-1H-indol-3-ylmethyl)-benzofuran-4-ylmethyl]-pyrimidine-2,4-diamine;

5-[2-(1H-Indol-3-ylmethyl)-6,7-dimethoxy-benzofuran-4-ylmethyl]-pyrimidine-2,4-diamine;

5-[6,7-Dimethoxy-2-(2-methyl-1H-indol-3-ylmethyl)-benzofuran-4-ylmethyl]-pyrimidine-2,4-diamine;

5-[2-(6-Fluoro-1H-indol-3-ylmethyl)-6,7-dimethoxy-benzofuran-4-ylmethyl]-pyrimidine-2,4-diamine;

{3-[4-(2,4-Diamino-pyrimidin-5-ylmethyl)-6,7-dimethoxy-benzofuran-2-ylmethyl]-1H-indol-2-yl}-morpholin-4-yl-methanone;

3-[4-(2,4-Diamino-pyrimidin-5-ylmethyl)-6,7-dimethoxy-benzofuran-2-ylmethyl]-1H-indole-2-carboxylic acid dimethylamide;

5-[6,7-Dimethoxy-2-(5-nitro-1H-indol-3-ylmethyl)-benzofuran-4-ylmethyl]-pyrimidine-2,4-diamine;

{3-[4-(2,4-Diamino-pyrimidin-5-ylmethyl)-6,7-dimethoxy-benzofuran-2-ylmethyl]-1H-indol-2-yl]-pyrrolidin-1-yl-methanone;

3-[4-(2,4-Diamino-pyrimidin-5-ylmethyl)-6,7-dimethoxy-benzofuran-2-ylmethyl]-5-methoxy-1H-indole-2-carboxylic acid dimethylamide;

3-[4-(2,4-Diamino-pyrimidin-5-ylmethyl)-6,7-dimethoxy-benzofuran-2-ylmethyl]-1H-indole-2-carboxylic acid methoxy-methyl-amide;

5-Chloro-3-[4-(2,4-diamino-pyrimidin-5-ylmethyl)-6,7-dimethoxy-benzofuran-2-ylmethyl]-1H-indole-2-carboxylic acid dimethylamide;

3-[4-(2,4-Diamino-pyrimidin-5-ylmethyl)-6,7-dimethoxy-benzofuran-2-ylmethyl]-5-fluoro-1H-indole-2-carboxylic acid dimethylamide;

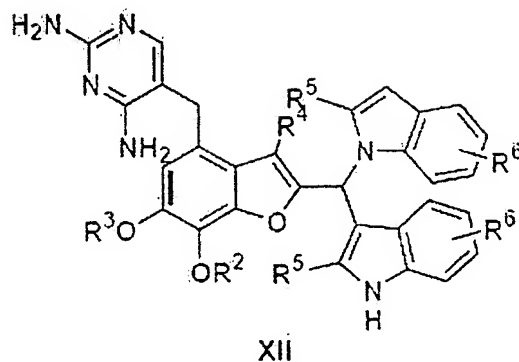
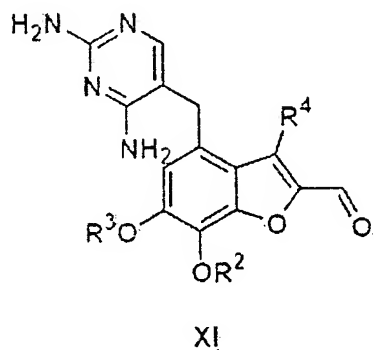
5-Chloro-3-[4-(2,4-diamino-pyrimidin-5-ylmethyl)-6,7-dimethoxy-benzofuran-2-ylmethyl]-1H-indole-2-carboxylic acid methoxy-methyl-amide;

3-[4-(2,4-Diamino-pyrimidin-5-ylmethyl)-6,7-dimethoxy-benzofuran-2-ylmethyl]-1H-indole-2-carboxylic acid N,N'-dimethyl-hydrazide;

3-[4-(2,4-Diamino-pyrimidin-5-ylmethyl)-6,7-dimethoxy-benzofuran-2-ylmethyl]-5-fluoro-1H-indole-2-carboxylic acid methoxy-methyl-amide;

and or a pharmaceutically acceptable salts thereof.

7. (Currently Amended) An intermediate compound of formula XI and XII

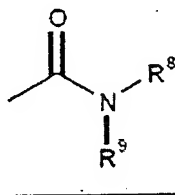


wherein R^2 , R^3 , R^4 , R^5 and R^6 have the meaning given in formula I in claim 1 and 2.

R^2 and R^3 independently represent hydrogen, lower alkyl with 1 to 3 carbon atoms, or together a lower alkylene group with 1 to 3 carbon atoms bridging the oxygen atoms and forming a five, six or seven membered ring;

R^4 represents hydrogen;

R^5 is hydrogen, lower alkyl with 1 to 4 carbon atoms, or the group



wherein

R^8 represents lower alkyloxy, lower alkylamino, or lower alkyl with 1 to 4 carbon atoms;

R^9 represents lower alkyl with 1 to 4 carbon atoms;

R⁸ and R⁹ together form a 5- or 6- membered heterocyclic ring containing one to two hetero atoms which can be the same or different and are oxygen or nitrogen;
and

R⁶ represents hydrogen, halogen, nitro, or lower alkyloxy.

8. (Previously Presented) A pharmaceutical composition comprising one or more compounds of claim 1 and a pharmaceutically acceptable inert carrier material.

9. (Cancelled)

10. (Cancelled)

11. (Cancelled)

12. (Cancelled)

13. (Cancelled)

14. (Cancelled)

15. (Cancelled)

16. (Previously Presented) A process for the manufacture of a pharmaceutical composition containing one or more compounds as claimed in claim 1 as active ingredients, which process comprises mixing one or more active ingredients with a pharmaceutically acceptable inert carrier material and/or an adjuvant.

17. (Cancelled)

18. (Previously Presented) A process for the manufacture of a pharmaceutical composition comprising one or more compounds as claimed in claim 6 as active ingredients, which process comprises mixing one or more active ingredients with a pharmaceutically acceptable inert carrier material and/or an adjuvant.

19. (Previously Presented) A pharmaceutical composition comprising one or more compounds of claim 6 and a pharmaceutically acceptable inert carrier material.

20. (Currently Amended) A method for treating an a-bacterial infection caused by a bacterium that can be inhibited through inhibition of its dihydrofolate reductase enzyme by comprising administering to a subject in need thereof an effective amount of the compound of claim 1.

21. (Currently Amended) The method of claim 20, wherein the bacterium is ~~bacterial infection is caused by~~ a Gram positive pathogen or a Gram negative pathogen.

22. (Currently Amended) A method for treating an a-bacterial infection caused by a bacterium that can be inhibited through inhibition of its dihydrofolate reductase enzyme by comprising administering to a subject in need thereof an effective amount ~~amount~~ of the compound of claim 6.

23. (Currently Amended) The method of claim 22, wherein the bacterium is ~~bacterial infection is caused by~~ a Gram positive pathogen or a Gram negative pathogen.